

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CLIPPER WONSILD TANKERS  
HOLDING A/S and KYLIE SHIPPING :  
COMPANY LTD.

Plaintiffs, :

- against - :

BIODIESEL VENTURES, LLC, :  
FULCRUM POWER SERVICES Lp, and :  
NATIONAL BIOFUELS Lp :

Defendants. :

07 CV 8704 (DC)

ECF CASE

AMENDED

AFFIDAVIT IN SUPPORT OF

PRAYER FOR MARITIME

ATTACHMENT

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**AMENDED AFFIDAVIT IN SUPPORT OF PRAYER FOR MARITIME ATTACHMENT**

State of Connecticut )  
 ) ss: SOUTHPORT  
County of Fairfield )

Claurisse Campanale Orozco, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court and represent the Plaintiffs herein. I am familiar with the facts of this case and make this Affidavit in support of Plaintiffs' prayer for the issuance of a Writ of Maritime Attachment and Garnishment, pursuant to Rule B of the Supplemental Admiralty Rules of the Federal Rules of Civil Procedure.

**THE DEFENDANTS ARE NOT WITHIN THIS DISTRICT**

2. I have attempted to locate the Defendants, BIODIESEL VENTURES, LLC, FULCRUM POWER SERVICES Lp, and NATIONAL BIOFUELS, Lp, within this District. As part of my investigation to locate the Defendants within this District, I checked the telephone company information directory all area codes within the District, as well as the white and yellow pages for New York listed on the Internet or World Wide Web, and did not find a listing for the Defendants. I also checked the New York State Department of Corporations' online database

which showed no listing or registration for the Defendants. I was also unable to find any information to indicate that the Defendants have a general or managing agent within the District.

3. I submit that Defendants cannot be found within this District within the meaning of Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims.

4. Upon information and belief, the Defendants have, or will have during the pendency of this action, tangible and intangible property within the District subject to the jurisdiction of this Court.

PRAYER FOR RELIEF FOR AN ORDER ALLOWING SPECIAL PROCESS SERVER

5. Plaintiffs seek an Order, pursuant to Rule 4(c) of the Federal Rules of Civil Procedure, appointing Thomas L. Tisdale, Claurisse Campanale-Orozco, Lauren C. Davies, or any other partner, associate, paralegal or agent of Tisdale Law Offices, to serve the Verified Complaint, Process of Maritime Attachment and Garnishment, Interrogatories or other process in this action upon the garnishee(s) who, based upon information and belief may hold assets of, for or on account of the Defendants.

6. Plaintiffs seek this Order to serve the Process of Maritime Attachment and Garnishment will deliberate speed in order to fully protect itself against the potential of being unable to satisfy any judgment or award obtained by Plaintiff against Defendants.

7. To the extent that Plaintiffs' Application for an Order appointing a special process server does not involve the restraint of physical property, service does not need to be effected by the Marshal's Office. Service sought to be carried out by Plaintiffs is the delivery of the Process of Maritime Attachment and Garnishment to the various garnishees identified in the writ.

PRAYER FOR RELIEF TO SERVE LATER IDENTIFIED GARNISHEES

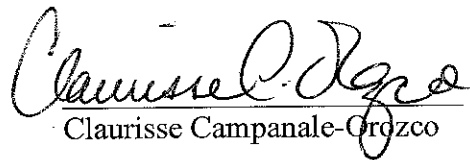
8. Plaintiffs further request that this Court grant it leave to serve any additional garnishee(s) who may, upon information and belief, obtained in the course of this litigation, to be holding or believed to be holding, property of the Defendants, within this District. Obtaining leave of Court at this time to serve any later identified garnishee(s) will allow for prompt service of the Writ of Maritime Attachment and Garnishment without the need to present to the Court amended Process to add future identified garnishee(s).

PRAYER FOR RELIEF TO DEEM SERVICE CONTINUOUS

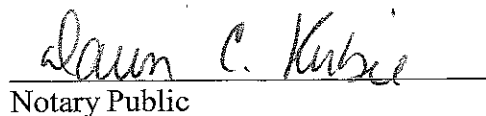
9. Plaintiffs also respectfully request that the Court grant it leave, as set out in the accompanying Ex Parte Order for Process of Maritime Attachment, for any process that is served on a garnishee to be deemed effective and continuous service of process throughout any given day on which process is served through the next day, provided that process is served the next day, to authorize service of process via facsimile or e-mail following initial in personam service.

10. This is Plaintiffs' first request for this relief made to any Court.

Dated: October 23, 2007  
Southport, CT

  
Laurisse Campanale-Grocco

Sworn and subscribed to before me  
this 23<sup>rd</sup> day of Oct, 2007.

  
Notary Public